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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

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9 Samoeuth Sy,) No. CV 11-440-PHX-JAT

10 Petitioner,) **ORDER**

11 vs.)

12 Katrina Kane,)

13 Respondent.)

14)

15)

16 Pending before the Court is Petitioner's Petition for Writ of Habeas Corpus
17 ("Petition") (Doc. 1). The Magistrate Judge to whom this case was referred issued a Report
18 and Recommendation ("R&R") (Doc. 10) recommending that the Petition be denied as moot
19 because Petitioner has been removed from the United States.

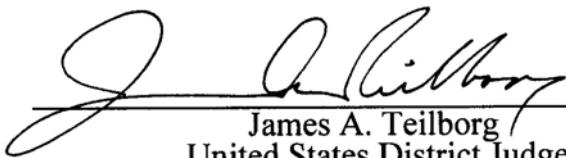
20 Neither party has filed objections to the R&R. Accordingly, the Court hereby accepts
21 the R&R. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not
22 required to conduct "any review at all . . . of any issue that is not the subject of an objection"
23 (emphasis added)); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en
banc*) ("statute makes it clear that the district judge must review the magistrate judge's
25 findings and recommendations *de novo if objection is made, but not otherwise*"); *see also*
26 *Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

27 Based on the foregoing,

28 **IT IS ORDERED** that the Magistrate Judge's Report and Recommendation (Doc. 10)

1 is accepted as follows: Petitioner's Petition for Writ of Habeas Corpus (Doc. 1) is denied as
2 moot and the Clerk of the Court shall enter judgment accordingly.¹

3 DATED this 1st day of September, 2011.

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6 James A. Teilborg
7 United States District Judge
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27 ¹ The Court need not issue a certificate of appealability because the Petition in this
28 case was filed pursuant to 28 U.S.C. § 2241. *See Forde v. U.S. Parole Comm'n*, 114 F.3d
878, 879 (9th Cir. 1997).